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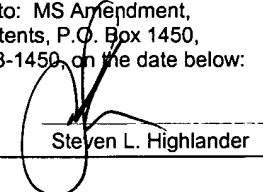
# FULBRIGHT & JAWORSKI L.L.P.

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March 14, 2005

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
March 14, 2005	
Date	Steven L. Highlander

## MS AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/829,661 entitled "DIAGNOSIS OF MOULD INFECTION" – Xiang-Yang Han et al.*  
*Our reference: UTSC:865US*  
*Client reference: MDA00-019CIP1*


Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references C1-C34.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:865US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

  
Steven L. Highlander  
Reg. No. 37,642

SLH/kvp  
Encl.: as noted



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Xiang-Yang Han *et al.*

Serial No.: 10/829,661

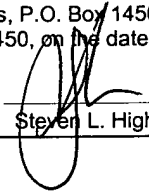
Filed: April 22, 2004

For: DIAGNOSIS OF MOULD INFECTION

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: UTSC:865US

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March 14, 2005	
Date	Steven L. Highlander

**INFORMATION DISCLOSURE STATEMENT**

**MS AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of cited U.S. patents, U. S. patent application publications and co-pending U.S. patent applications have not been enclosed subject to the waiver regarding the requirement under 37 C.F.R. § 1.98(a)(2)(i) stated in the Official Gazette Notice dated August 5, 2003 regarding patent applications filed on or after June 30, 2003.

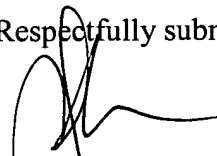
In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:865US.

This application is a continuation-in-part application of Serial No. 10/672,300, filed September 26, 2003 and is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) only copies of those documents not previously cited and submitted to the Patent and Trademark Office in prior application Serial No. 10/672,300 are enclosed for the convenience of the Examiner.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642  
Attorney for Applicants

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(512) 474-5201

Date: March 14, 2005

Form PTO-1449 (modified)

Atty. Docket No.  
UTSC:865USSerial No.  
10/829,661

List of Patents and Publications for Applicant's

Applicant  
Xiang-Yang Han *et al.*

INFORMATION DISCLOSURE STATEMENT

Filing Date:  
April 22, 2004Group:  
1645

(Use several sheets if necessary)

U.S. Patent Documents  
*See Page 1*Foreign Patent Documents  
*See Page 1*Other Art  
*See Page 2*

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	4,659,774	4/21/87	Webb and Hsu	525	54.2	11/01/85
	A2	4,683,202	7/28/87	Mullis	435	91	10/25/85
	A3	4,800,159	1/24/89	Mullis <i>et al.</i>	435	172.3	12/17/86
	A4	4,816,571	2/28/89	Andrus <i>et al.</i>	536	27	6/04/87
	A5	4,959,463	9/25/90	Froehler and Matteucci	536	27	9/19/86
	A6	5,141,813	8/25/92	Nelson	428	402	8/28/89
	A7	5,264,566	11/23/93	Froehler and Matteucci	536	25.34	4/26/90
	A8	5,428,148	6/27/95	Reddy and Hanna	536	26.8	4/24/92
	A9	5,554,744	9/10/96	Bhongle and Tang	536	25.3	9/23/94
	A10	5,574,146	11/12/96	Reddy <i>et al.</i>	536	25.34	8/30/94
	A11	5,602,244	2/11/97	Caruthers <i>et al.</i>	536	25.6	5/08/95
	A12	5,843,663	12/01/98	Stanley <i>et al.</i>	435	6	5/24/96
	A13	5,849,481	12/15/98	Ureda <i>et al.</i>	435	6	6/05/95
	A14	5,849,486	12/15/98	Heller <i>et al.</i>	435	6	9/27/95
	A15	5,851,772	12/22/98	Mirzabekov <i>et al.</i>	435	6	1/29/96
	A16	5,900,481	5/04/99	Lough and Köster	536	55.3	11/06/96
	A17	5,919,626	6/06/99	Shi and Boyce-Jacino	435	6	6/06/97

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

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Form PTO-1449 (modified)		Atty. Docket No. UTSC:865US	Serial No. 10/829,661
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant Xiang-Yang Han <i>et al.</i>	
		Filing Date: April 22, 2004	Group: 1645
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 2</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	"Brief Reports," <i>Clin. Infect. Dis.</i> , 31:181-204, 2000.
	C2	Ascioglu <i>et al.</i> , "Defining opportunistic invasive fungal infections in immunocompromised patients with cancer and hematopoietic stem cell transplants: an international consensus," <i>Clin. Infect. Dis.</i> , 34:7-14, 2002.
	C3	Baddley <i>et al.</i> , "Invasive mold infections in allogeneic bone marrow transplant recipients," <i>Clin. Infect. Dis.</i> , 32(9):1319-1324, 2001.
	C4	Boom <i>et al.</i> , "Rapid and simple method for purification of nucleic acids," <i>J. Clin. Microbiol.</i> , 28:495-503, 1990.
	C5	Bowman <i>et al.</i> , "Quantitative PCR assay to measure aspergillus fumigatus burden in a murine model of disseminated aspergillosis: demonstration of efficacy of caspofungin acetate," <i>Antimicrob. Agents Chemother.</i> , 45(12):3474-3481, 2001.
	C6	Brakhage and Langfelder, "Menacing mold: the molecular biology of aspergillus fumigatus," <i>Annu. Rev. Microbiol.</i> , 56:433-455, 2002.
	C7	Bretagne <i>et al.</i> , "Comparison of serum galactomannan antigen detection and competitive polymerase chain reaction for diagnosing invasive aspergillosis," <i>Clin. Infect. Dis.</i> , 26:1407-1412, 1998.
	C8	Choudhury <i>et al.</i> , "Antifungal activity of trimethyltinbenzoate-4-picoline," ( <i>Indian</i> ) <i>J. Pharmaceut. Sci.</i> , 63(1):58-60, 2001.
	C9	Einsele <i>et al.</i> , "Detection and identification of fungal pathogens in blood by using molecular probes," <i>J. Clin. Microbiol.</i> , 35(6):1353-1360, 1997.
	C10	Erjavec and Verweij, "Recent progress in the diagnosis of fungal infections in the immunocompromised host," <i>Drug Resistance Updates</i> , 5(1):3-10., 2002.
	C11	Fahle <i>et al.</i> , "Comparison of six commercial DNA extraction kits for recovery of cytomegalovirus DNA from spiked human specimens," <i>J. Clin. Microbiol.</i> , 38(10):3860-3863, 2000.
	C12	Ferns <i>et al.</i> , "The prospective evaluation of a nested polymerase chain reaction assay for the early detection of Aspergillus infection in patients with leukemia or undergoing allograft treatment," <i>Br J Haematol</i> , 119(3):720-52, 002.

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### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C13	Forster, <i>Ann. Phys.</i> , "Zwischenmolekulare energiewanderung und fluoreszenz," 2(1-2):55-75, 1948.
	C14	Hebart <i>et al.</i> , "Early detection of aspergillus infection after allogeneic stem cell transplantation by polymerase chain reaction screening," <i>J. Infect. Dis.</i> , 181:1713-1719, 2000.
	C15	Higuchi <i>et al.</i> , "Kinetic PCR analysis: real-time monitoring of DNA amplification reactions," <i>Biotechnology</i> , 11(9):1026-1030, 1993.
	C16	Holland <i>et al.</i> , "Detection of specific polymerase chain reaction product by utilizing the 5'----3' exonuclease activity of <i>Thermus aquaticus</i> DNA polymerase.," <i>Proc. Natl. Acad. Sci., USA</i> , 88:7276-7280, 1991.
	C17	Innis <i>et al.</i> , <i>PCR Protocols: A Guide to Methods and Application</i> , Academic Press, Inc., San Diego, CA, 1990.
	C18	Itakura and Riggs, "Chemical DNA synthesis and recombinant DNA studies," <i>Science</i> , 209:1401-1405, 1980.
	C19	Kontoyiannis <i>et al.</i> , "Significance of aspergillemia in patients with cancer: a 10-year study," <i>Clin. Infect. Dis.</i> , 31:188-189, 2000.
	C20	Latgé, "Aspergillus fumigatus and aspergillosis," <i>Clin. Microbiol. Rev.</i> , 12(2):310-350, 1999.
	C21	Lakowicz, Energy Transfer in: <i>Principles of Fluorescent Spectroscopy</i> , Plenum Press, NY, 303-339, 1983.
	C22	Lee <i>et al.</i> , "Allelic discrimination by nick-translation PCR with fluorogenic probes," <i>Nucleic Acids Research</i> , 21:3761-3766, 1993.
	C23	Maertens <i>et al.</i> , "Screening for circulating galactomannan as a noninvasive aspergillosis in prolonged neutropenic patients and stem cell transplantation recipients: a prospective validation," <i>Blood</i> , 97(6):1604-1610, 2001.
	C24	Oliveria <i>et al.</i> , "Fungal infections in marrow transplant recipients under antifungal prophylaxis with fluconazole," <i>Braz. J. Med. Biol. Res.</i> , 35(7):789-798, 2002.
	C25	Paterson and Singh, "Invasive aspergillosis in transplant recipients," <i>Medicine</i> , 78(2):123-138, 1999.
	C26	Raad <i>et al.</i> , "Diagnosis of invasive pulmonary Aspergillosis using polymerase chain reaction-based detection of Aspergillus in BAL," <i>Chest</i> , 121(4):1171-1176, 2002.

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Exam. Init.	Ref. Des.	Citation
	C27	Soubani <i>et al.</i> , "The clinical spectrum of pulmonary aspergillosis," <i>Chest</i> , 121(6):1988-1999, 2002.
	C28	Stynen <i>et al.</i> , "A new sensitive sandwich enzyme-linked immunosorbent assay to detect galactofuran in patients with invasive aspergillosis," <i>J. Clin. Microbiol.</i> , 33(2):497-500, 1995.
	C29	Tarrand <i>et al.</i> , "Diagnosis of invasive septate mold infections: a correlation of microbiological culture and histologic or cytologic examination," 38 <sup>th</sup> Annual Meeting of the Infectious Diseases Society of America (IDSA), abstract #276, 2000.
	C30	Van Burik <i>et al.</i> , "Panfungal PCR assay for detection of fungal infection in human blood specimens," <i>J. Clin. Microbiol.</i> , 36(5):1169-1175, 1998.
	C31	Vogeser <i>et al.</i> , "Postmortem analysis of invasive aspergillosis in a tertiary care hospital," <i>Eur. J. Clin. Microbiol. Infect. Dis.</i> , 16:1-6, 1997.
	C32	Williamson <i>et al.</i> , "Diagnosis of invasive aspergillosis in bone marrow transplant recipients by polymerase chain reaction," <i>Br. J. Haematol.</i> , 108:132-139, 2000.
	C33	Yamakami <i>et al.</i> , "PCR detection of DNA specific for aspergillus species in serum of patients with invasive aspergillosis," <i>J. Clin. Microbiol.</i> , 34(10):2464-2468, 1996.
	C34	Zerva <i>et al.</i> , "Serum is the preferred clinical specimen for diagnosis of human brucellosis by PCR," <i>J. Clin. Microbiol.</i> , 39(4):1661-1664, 2001.

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